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REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND
RELATED QUESTIONS

CRIME PREVENTION AND CRIMINAL JUSTICE

Progress made in the implementation of Economic and Social Council resolutions 1992/22 and 1993/31

Report of the Secretary-General

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INTRODUCTION

1. The Economic and Social Council, in paragraph 7 of resolution 1993/31, requested the Secretary-General to report to the Council, at its substantive session of 1994, through the Commission on Crime Prevention and Criminal Justice, on the progress made in the implementation of Council resolutions 1992/22 and 1993/31. The present report has been prepared in response to that request.

2. The report briefly highlights the measures taken to follow up the resolutions and decisions of the Commission on Crime Prevention and Criminal Justice at its first and second sessions and complements the other reports on specific issues that are also before the Commission.

I. ACTION BY THE ECONOMIC AND SOCIAL COUNCIL

3. At its substantive session of 1993, the Economic and Social Council considered the report of the Commission on Crime Prevention and Criminal Justice on its second session. 1/ Member States gave their support to the priority themes elaborated at the first session of the Commission and confirmed at the second. Many delegations supported in particular the inclusion of organized and transnational crime, including money laundering, and protection of the environment as a priority theme to guide the work of the new Commission. In this connection, delegations welcomed the initiative to organize in Italy, in 1994, a World Ministerial Conference on Organized Transnational Crime and an International Conference on Laundering and Controlling Proceeds of Crime. The need for close cooperation among different United Nations entities and international organizations dealing with similar problems was recognized. The importance of cooperation with the Centre for Human Rights of the Secretariat, the United Nations International Drug Control Programme and the Financial Action Task Force on Money Laundering established by the Group of Seven was stressed. Considerable progress in the preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders had been made, and the importance of a decision on its venue was emphasized. Delegations referred to inadequate institutional capacity as the weakest point of the United Nations crime prevention and criminal justice programme, and expressed the hope that the upgrading of the Crime Prevention and Criminal Justice Branch would become effective as soon as possible. On the recommendation of the Commission, the Council adopted nine resolutions and three decisions.

4. In resolution 1993/26 on violence against women in all its forms, the Council urged Governments, specialized agencies and relevant non-governmental organizations to take all possible steps to prevent violence against women and intensify their efforts to use criminal law to prohibit violent acts against women; and urged Governments to support the adoption by the Assembly of the draft declaration on the elimination of violence against women, recommended by the Commission on the Status of Women.

5. In resolution 1993/27, the Council requested the Secretary-General to disseminate, as widely as possible, the proposed guidelines for cooperation and

technical assistance in the field of urban crime prevention, annexed to the resolution, with a vie to their being examined by the Commission on Crime Prevention and Criminal Justice at its third session.

6. In resolution 1993/28 on the role of criminal law in the protection of the environment, the Council took note of the conclusions of the Seminar on the Policy of Criminal Law in the Protection of Nature and the Environment in a European Perspective, annexed to the resolution; and requested the Secretary-General to consider the possibility of undertaking activities in the field of environmental crime in the framework of the United Nations crime prevention and criminal justice programme, and in particular, to include environmental crime as an issue for technical cooperation.

7. In resolution 1993/29, the Council requested the Secretary-General to organize a World Ministerial Conference on Organized Transnational Crime, to be held in the third quarter of 1994. Among other objectives, the Conference would examine the problems and dangers posed by transnational and organized crime in the various regions of the world and to propose more effective counter-strategies.

8. In resolution 1993/30, the Council requested the Crime Prevention and Criminal Justice Branch, inter alia, to continue studying the problem of controlling the proceeds of crime; and welcomed the initiative taken to organize an International Conference on Laundering and Controlling Proceeds of Crime in Italy in June 1994.

9. In resolution 1993/31 on strengthening of the United Nations crime prevention and criminal justice programme, the Council reaffirmed the importance of the programme and its crucial role in promoting international cooperation in crime prevention and criminal justice, in responding to the needs of the international community in the face of both national and transnational criminality, and in enabling Member States to achieve the goals of preventing crime within and among States and improving the response to crime; and also reaffirmed the important role of the Commission on Crime Prevention and Criminal Justice as the principal policy-making body for the activities of the United Nations in the field of crime prevention and criminal justice.

10. In resolution 1993/32, the Council approved the agenda for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders; and approved the rules of procedure for United Nations congresses on the prevention of crime and the treatment of offenders annexed to the resolution.

11. In resolution 1993/33, the Council expressed its appreciation to the Government of Uganda for providing host facilities to the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders, and encouraged other States and agencies to provide financial and technical support to the Institute.

12. In decision 1993/241, the Council endorsed the Commission's reappointment of two members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute, and recommended that, in future, the

number of persons nominated by the Secretary-General to fill positions on the Board exceed the number of positions to be filled.

13. In decision 1993/242, the Council decided that future sessions of the Commission should be held for a period of eight days, and that its Committee of the Whole should be provided with full interpretation services.

14. In decision 1993/243, the Council took note of the report of the Commission, endorsed the resolutions and decisions adopted by it and approved the provisional agenda and documentation for the Commission's third session.

II. ACTION BY THE GENERAL ASSEMBLY

15. The issue of crime prevention and criminal justice was considered by the Third Committee at the forty-eighth session of the General Assembly. The Committee had before it the report of the Secretary-General on the African Institute for the Prevention of Crime and the Treatment of Offenders (A/48/332), in which it was stated that despite calls from United Nations bodies, the financial base of the Institute appeared not to be guaranteed from 1994 onwards without continued budgetary support by the United Nations Development Programme (UNDP).

16. During the discussions of the functioning of the crime prevention and criminal justice programme, it was emphasized that as the Commission on Crime Prevention and Criminal Justice moved from organizational to substantive matters, it should focus its attention on technical assistance and practical problems. Machinery designed to attain the specific goals of the crime programme should be established, in line with the priorities set by the Economic and Social Council. Particular attention should be paid to national and transnational crime, especially organized crime. The problem of alien smuggling had reached such alarming proportions that it threatened to turn public opinion against legal immigrants and legitimate refugees. Concern was expressed about the possible diversion of the Branch's resources from anti-crime technical assistance programmes to activities in the area of peace-keeping. The limited budget of the programme could not meet the requests of Member States. Its share of resources did not correspond to the priority attached to it by the General Assembly.

17. The General Assembly adopted resolutions 48/101 on the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders, 48/102 on the prevention of alien smuggling and 48/103 on crime prevention and criminal justice. In resolution 48/101 it called upon Governments, intergovernmental and non-governmental organizations to provide financial and technical support; and requested the Secretary-General to ensure that sufficient resources were provided to the Institute. In resolution 48/102, it condemned the practice of alien smuggling; and urged States to take appropriate steps to frustrate the objectives and activities of alien smugglers. In resolution 48/103, the Assembly reaffirmed the importance of the United Nations crime prevention and criminal justice programme, and the high priority of the programme; and requested the Secretary-General, as a matter of urgency, to give immediate effect to General Assembly resolutions 46/152 and 47/91 and to

Economic and Social Council resolutions 1992/22, 1993/31 and 1993/34 by providing the programme with sufficient resources for the full implementation of its mandates.

III. STRENGTHENING OF THE UNITED NATIONS CRIME PREVENTION AND CRIMINAL JUSTICE PROGRAMME AND OPERATIONALIZATION OF ACTIVITIES

18. The General Assembly, in resolutions 46/152 and 47/91, and the Economic and Social Council, in resolution 1992/22, requested the Secretary-General to take the necessary measures to commit the human and financial resources necessary to strengthen the United Nations crime prevention and criminal justice programme as a whole, with emphasis on designing, implementing and monitoring technical cooperation projects at various levels. They accorded high priority to the programme and called for an appropriate share of United Nations resources.

19. In resolution 1992/22, the Council also recommended the establishment of a subprogramme on operational activities, planning and overall coordination within programme 29 (Crime prevention and criminal justice) of the medium-term plan for the period 1992-1997. The General Assembly, in its resolution 47/214, adopted the proposed revisions to the medium-term plan and, in resolution 47/219, endorsed the proposal of the Secretary-General to finance the additional requirements for the expansion of the crime prevention and criminal justice programme from within the overall appropriations of sections 21, 23-26 and 33 of the programme budget for the biennium 1992-1993. The new subprogramme began to operate at the beginning of 1993. It focused on those areas that required immediate attention in order to build the institutional capacity and establish a solid foundation for launching the activities recommended by the General Assembly. The Crime Prevention and Criminal Justice Branch was strengthened through redeployment of three Professional posts from other sections of the programme budget where vacant posts were identified.

20. These decisions facilitated some structural changes in the crime prevention and criminal justice programme. A team to deal with the new subprogramme and handle operations, coordination and evaluation was created in the Branch. The other three teams were working in the areas identified as priorities by the Commission.

21. At the second session of the Commission on Crime Prevention and Criminal Justice (Vienna, 13-23 April 1993), it was noted that the effectiveness of the programme had been limited by the severe lack of resources. That had made the implementation of the activities mandated by the Commission difficult, particularly in responding to the numerous requests of Member States for practical assistance.

22. On the recommendation of the Commission at its second session, the Council, in resolution 1993/31, requested the Secretary-General, as a matter of urgency, to give effect to General Assembly resolutions 46/152 and 47/91 and to Council resolution 1992/22 by strengthening the Crime Prevention and Criminal Justice Branch, by providing it with the resources required for the full implementation

of its mandates and by upgrading it into a division, headed by a Director. In resolution 48/103, the General Assembly reiterated those requests.

23. Accordingly, proposals for the programme budget for the biennium 1994-1995 were prepared. The proposed programme of work contained the activities perceived to be necessary to implement the above-mentioned resolutions, taking fully into account the priority themes identified by the Council in resolution 1992/22. In preparing the programme budget proposals, efforts were made to reflect the wishes of Member States with respect to strengthening the operational aspects of the programme and to give effect to the objectives of the new subprogramme on operational activities, planning and overall coordination.

24. By resolution 48/231, the General Assembly has regularized on a permanent basis the transfer of three Professional posts to the Branch made in 1993 from other areas of the Secretariat, in the context of the programme budget for the biennium 1994-1995. Furthermore, by the same resolution, the capacity of the Crime Prevention and Criminal Justice Branch in the area of technical cooperation has been also strengthened by providing a second position for an interregional adviser and increasing resources for technical cooperation activities by some $1 million under section 20 (Regular programme of technical cooperation) of the programme budget for the biennium 1994-1995.

IV. OPERATIONAL ACTIVITIES IN THE PRIORITY AREAS

25. The Commission on Crime Prevention and Criminal Justice, at its second session, welcomed the efforts undertaken by the Secretariat to carry out operational activities in the priority areas set by the Commission at its first session. It reaffirmed those priorities and expressed concern about the disparity between the needs for technical assistance and the resources available for the programme. Notwithstanding its limited resources, the Crime Prevention and Criminal Justice Branch took all possible measures to extend and intensify technical assistance and advisory services to Member States. In collaboration with relevant United Nations entities and institutes, intergovernmental and non-governmental organizations and several Governments, it organized or contributed to 4 projects and 16 international meetings and conferences, and participated in 9 training courses and seminars and in the preparation of 20 sets of recommendations, manuals and other training materials.

A. Transnational crime, especially organized, economic and environmental criminality

26. The Economic and Social Council, in its resolution 1992/23, reaffirmed that priority must be given to the struggle against the activities of organized crime, and requested the Secretary-General to continue the analysis of information on the impact of organized criminal activities upon society at large. The report before the Commission at its second session (E/CN.15/1993/3) was prepared as a preliminary response to this mandate. At present, a more focused analysis of specific aspects of the problem is being conducted, including the nature, extent, forms and dimensions of organized crime, and measures aimed at controlling it. A series of studies, meetings and reports on

the impact of organized crime, and criminal justice responses to it, have been completed or are being prepared.

27. As requested by the Economic and Social Council in resolution 1993/29, a World Ministerial Conference on Organized Transnational Crime will be held in the third quarter of 1994, hosted by the Government of Italy. The Conference will examine national legislation and evaluate its adequacy to deal with organized transnational crime, as well as guidelines for reform; identify the most effective forms of international cooperation at investigative, prosecutorial and judicial levels; consider appropriate modalities and guidelines for prevention and control of organized transnational crime at the international level; and examine the feasibility of initiating the elaboration of a United Nations convention against organized crime. A separate report of the Secretary-General on the status of the preparations for the Conference (E/CN.15/1994/4) is before the Commission, in accordance with paragraph 4 of Economic and Social Council resolution 1993/29.

28. A double issue of the International Review of Criminal Policy on the prevention of corruption was published in October 1993, providing practitioners, policy and decision makers with information on key criminal policy matters relating to anti-corruption measures. The Manual on the Prevention and Prosecution of Computer-Related Crime, drafted by the Canadian Department of Justice and a German expert on computer crime, was reviewed at an expert group meeting hosted by the University of Würzburg, Germany, and was also published in a double issue of the Review.

29. The Crime Prevention and Criminal Justice Branch continued to cooperate with the Economic Community of West African States (ECOWAS) on the implementation of the regional Convention on Mutual Assistance in Criminal Matters, developed with the assistance of the Branch. To familiarize judges and prosecutors from 16 West African countries with the provisions of the Convention, a project proposal for a series of seminars was drafted, in consultation with the legal adviser to the ECOWAS secretariat, and potential donors were contacted. If adequate financial support is obtained, the Branch will provide technical advisory services for the seminars. Assistance was also considered for developing internal procedures to implement the Convention and for training judges and lawyers in their jurisdictions. In accordance with the ECOWAS request for assistance in the preparation of a Convention on Extradition, a draft convention was prepared for negotiations within ECOWAS.

30. An expert group meeting on the protection of judges, prosecutors and witnesses from violence by organized crime (Chicago, 18-20 August 1993) was organized and hosted by the Office of International Criminal Justice of the University of Illinois at Chicago in cooperation with the Crime Prevention and Criminal Justice Branch. The meeting formulated policies and strategies aimed at protecting these officials from violence, the threat of violence and other forms of intimidation emanating from organized crime.

31. An expert group meeting on model legislation to foster reliance on model treaties was held in Vienna from 18 to 21 October 1993. The meeting reviewed obstacles to the effective use and application of the model treaties, particularly those on extradition, mutual assistance in criminal matters and the

transfer of proceedings, assessed difficulties in the development of model legislation, and prepared recommendations for the Commission on Crime Prevention and Criminal Justice and Member States. The meeting also contributed to the elaboration of a guide on how to use effectively the Model Treaty on Mutual Assistance in Criminal Matters in the preparat' . of international and regional treaties and in national legislation, policy . -tice. This will assist requesting States with harmonization and implementation of existing international instruments, guidelines and recommendations against transnational crime. The Canadian Department of Justice prepared the first draft of the guide in cooperation with the Branch.

32. Another expert group meeting on transnational crime organized by the Branch (Vienna, 7-10 December 1993) was devoted to developing more effective forms of international cooperation against transnational crime, with emphasis on the protection of the environment. It evaluated measures taken against such crime, and proposed policies, mechanisms, procedures and other means of dealing with it. The meeting made recommendations on environmental crime as an issue for technical cooperation. Information is being collected on the role of criminal law in the protection of the environment.

33. The Economic and Social Council welcomed the initiative taken by the Government of Italy and the International Scientific and Professional Advisory Council (ISPAC) in organizing, under the auspices of the Crime Prevention and Criminal Justice Branch, the International Conference on Laundering and Controlling Proceeds of Crime, to be held in Italy in June 1994. The Conference will study the effectiveness of legislation addressing money laundering and mutual assistance in criminal matters in all regions on a comparative basis. Discussions would seek to identify problem areas and recommend solutions. ISPAC, with the assistance of the European Institute for Crime Prevention and Criminal Justice (HEUNI), which is affiliated with the United Nations, commissioned a study that will incorporate the inputs of the regional institutes. Contacts have been made with the Financial Action Task Force on Money Laundering established by the Group of Seven and with the Organization of American States.

34. Cooperation with the United Nations International Drug Control Programme was strengthened, including participation in the Interregional Course on Investigative Techniques in Money Laundering, organized by the Institute for Advanced Police Training in Malta, from 6 to 9 March 1993. The contribution of the Branch was related to differences in legal systems and the effect on the methodology of presenting evidence in a mutual assistance context. Lectures were also delivered at the Seminar on the Alleged Transnational Criminal, conducted by the International Bar Association, held at Madrid from 28 to 31 May 1993.

B. Crime prevention in urban areas, juvenile and violent criminality

35. In cooperation with the Ministry of Justice of Portugal, the Crime Prevention and Criminal Justice Branch developed a proposal for a seminar on juvenile justice, the treatment of offenders and crime prevention policies for African lusophone countries. The Branch contributed to a meeting on the curtailment of victimization and protection of victims, organized by the International Scientific and Professional Advisory Council (Oñate, Spain, 12-16 May 1993). It also participated in the 11th International Congress on Criminology (Budapest, 22-27 August 1993) and in the forty-fifth session of the Subcommission on the Prevention of Discrimination and Protection of Minorities (Geneva, 3-27 August 1993). At the invitation of the General Prosecutor of Mexico City, a member of the Branch contributed to the Conference on Urban Crime and delivered a lecture on criminal justice statistics and crime in the largest cities (Mexico City, 21-25 June 1993).

36. A manual for practitioners dealing with domestic violence, prepared with the support of HEUNI and the Government of Canada, was published in the summer of 1993. Advance copies were made available at the thirty-seventh session of the Commission on the Status of Women, in 1993, and the published version at the World Conference on Human Rights, held at Vienna in June 1993. It was provided to the Commonwealth Secretariat for its meeting of women's affairs ministers in Cyprus in July 1993.

37. A draft United Nations manual on juvenile justice standards was considered by the International Standing Advisory Round-table of Eminent Experts, hosted by the Arab Security Studies and Training Centre (ASSTC) (28 April-4 May 1993), and is to be finalized at an expert group meeting to be held at Reno, Nevada, United States of America in May 1994. It will be published by ASSTC in Arabic and English by the end of 1994. The manual will assist Member States in programme development and evaluation and policy formulation, on the basis of United Nations juvenile justice standards. In July 1993, ASSTC conducted the First United Nations Training Course on Juvenile Justice Standards and Policy for senior practitioners of the Arab World, in cooperation with the Crime Prevention and Criminal Justice Branch. This training course was incorporated into the regular annual training programme of ASSTC.

38. The Report of the Meeting on Instrumental Use of Children in Criminal Activities, organized by the Office of Juvenile Justice of the Government of Italy and Crime Prevention and Criminal Justice Branch (Rome, 8-10 May 1992) was published in Italy.

C. Crime prevention and efficiency, fairness and improvement in the management and administration of criminal justice, including information management

39. The Crime Prevention and Criminal Justice Branch planned, prepared and delivered practical assistance in this priority area, including training courses and seminars. The assistance that can be provided to interested States is illustrated by the judicial reform project in the Russian Federation. The State Law Department of the Administration of the President of the Russian Federation requested the Crime Prevention and Criminal Justice Branch of the United Nations Office at Vienna to provide technical assistance to the Russian Government in connection with judicial reform in the Russian Federation. The Branch invited representatives of the State Law Department to Vienna for the purpose of discussing in greater detail the substance of the request and nature of the assistance required. During this meeting, the Branch provided comments, advice and recommendations with respect to the draft legislation on the introduction and implementation of the judicial reforms. On the basis of the consultations carried out in Vienna and the documentation received, the Director-General of the United Nations Office at Vienna informed certain donor countries of the request and asked them to consider providing support for the project.

40. On 11 and 12 February 1993, the Branch, together with HEUNI, organized and hosted an informal meeting on practical assistance to countries of Central and Eastern Europe. The participants included representatives of donor countries, and intergovernmental and non-governmental organizations that were known to have a particular interest in technical cooperation activities and the provision of practical assistance to countries of Central and Eastern Europe in the field of crime prevention and criminal justice. The request submitted by the Russian Federation was brought to the attention of the meeting and relevant documentation distributed.

41. The Government of Austria reacted promptly to this request and organized and financed a study visit of 20 Russian judges in Austria from 14 to 19 June 1993. The Governments of Canada, France and Italy indicated that they were considering favourably the possibility of providing practical assistance to the Government of the Russian Federation. Consequently, the Branch organized and undertook a needs assessment mission to Russia from 3 to 14 May 1993. The mission included representatives of the above-mentioned Governments and of HEUNI. The report of the mission and the project proposal were sent to a number of Governments and international organizations, with an urgent request to participate in the project.

42. HEUNI generously offered to finance the services and related expenses of an expert consultant on criminal justice computerization, who travelled to Moscow at the end of August to examine the current situation on computerization in criminal justice information in Russia. The Government of France sponsored a study visit of two Russian senior officials to the Cour d'Appel in Lyon and offered to send four judges to Russia to participate in a training seminar. The Government of Finland informed the Branch that, although the jury trials were alien to Finnish criminal procedure, it could provide expert assistance in the use of computerized systems in courts and invite judges involved in the reform

to Finland to acquaint themselves with the ongoing reform of criminal procedure in Finland.

43. Another example of training and advisory services is a project in Cambodia on the training of trainers in legislation and public service ethics. This project will provide potential trainers with theoretical and practical knowledge of the principles of law in the context of democratic traditions and the United Nations norms and standards. Particular emphasis will be on the rights of the person, the separation of powers, the independence of the judiciary, the responsibility of public officials and the rights and functions of lawyers. The first phase will consist of identifying the needs of the democratically elected Government of Cambodia. The longer-term objective will be to assist the Government to implement suitable criminal justice and procedural legislation and regulatory mechanisms. This work follows on from earlier missions by the Branch to Cambodia, including the preparation of a Reference and Training Manual for the Conduct of Criminal Justice in Cambodia, a Code of Conduct for Public Officials and detailed Commentary and Training Guidelines finalized during a mission by a Branch member and a consultant in October 1992. A further mission to Phnom Penh was undertaken in July 1993.

44. Assistance was given to the Government of Belarus in the finalization of the draft Criminal Code and the draft Code of Criminal Procedure. In cooperation with the Centre for Human Rights, recommendations were prepared for both draft laws, the adoption of which would mean an important step towards the establishment of a State governed by the rule of law and the transformation of society in accordance with basic democratic principles. At the second session of the Commission, the observer for Ukraine said that his Government intended to request the Crime Prevention and Criminal Justice Branch to organize a needs assessment mission to his country to formulate appropriate projects for drafting and implementing penal and procedural legislation and further developing its criminal justice system. However, no request or background materials had been received at the time of preparation of the present report.

45. A commentary on non-custodial measures, prepared in cooperation with the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI), was published in 1993 with financial contributions from UNAFEI, the Asia Crime Prevention Foundation and the International Penal and Penitentiary Foundation. This commentary should increase awareness of the Tokyo Rules (General Assembly resolution 45/110) and assist Member States in their effective use and application.

46. A Manual on Life Imprisonment was published in 1993 with financial contributions from the Religious Society of Friends (Quakers). This manual will help Member States to improve the treatment of prisoners serving life sentences and provide an international comparative study of life imprisonment. A preliminary text of the Handbook of International Standards Related to Pre-trial Detention was prepared by the University of Minnesota and the Minnesota Lawyers for Human Rights in cooperation with the Branch. International expert meetings are to discuss the texts in 1994, subject to extrabudgetary funding. A Report on Basic Education in Prisons has been finalized by the United Nations Educational, Scientific and Cultural Organization Institute for Education at Hamburg, Germany, in cooperation with the Branch and will be issued in the

summer of 1994. Guidelines on HIV/AIDS and prisons were published by the World Health Organization in June 1993, with input provided by the Branch to reflect the United Nations standards and norms in crime prevention and criminal justice.

47. The Branch cooperated with the Centre for Human Rights in planning, implementing and evaluating several training seminars. It contributed to training courses for professors of police academies and for judges, prosecutors and lawyers, organized by the Centre for Human Rights and the Romanian Institute for Human Rights (Bucharest, March and November 1993). It participated in an expert group meeting on developing a training manual for law enforcement officials on human rights in the administration of justice (Geneva, August 1993) and provided input to the draft. The Branch also participated in two training courses on the administration of criminal justice and human rights (Namibia, April and September 1993), organized by the Raoul Wallenberg Institute for Human Rights and Humanitarian Law of the University of Lund, Sweden. At the invitation of the same institute, a member of the Branch lectured on United Nations standards and norms in crime prevention and criminal justice at three training courses: for senior prison administrators in Uganda (Kampala, September 1993), for senior law enforcement officials in South Africa (Pretoria, September 1993) and for law enforcement officers and prison personnel in Zimbabwe (Mazwikadei, November 1993).

48. The implementation of numerous requests for training, technical assistance and advisory services (from the Governments of Chad, Ethiopia, Lesotho, Mongolia, the Philippines and Senegal, among others) is awaiting the availability of extrabudgetary funds.

49. The Economic and Social Council, in resolution 1993/34, having taken note of the report of the Secretary-General (E/CN.15/1993/2), reaffirmed the usefulness of information collection activities in crime prevention and criminal justice for policy development and programme planning. In the period between the second and third sessions of the Commission, the Secretary-General intensified the activities aimed at the collation, analysis and utilization of data, including the computerization of criminal justice information for management purposes at the national and international levels.

50. The Fourth Survey of Crime Trends and Operations of Criminal Justice Systems (1986-1990) was completed and the Fifth Survey (1990-1992) initiated. This project also involved the preparation of a data set for utilization in the forthcoming report on crime and justice in the world, to be published in time for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. The same data set will serve as a basis for analysis, which will be contained in the regional reports on crime trends and operations of criminal justice systems to be published for the Congress and distributed to the criminal justice community in tabular form and in an electronic format (computer diskettes and database in the United Nations Criminal Justice Information Network (UNCJIN)).

51. The United Nations Criminal Justice Information Network - a computerized database and electronic mail system, which has been operated by the School of Criminal Justice of the State University of New York at Albany, with financial support from the United States Bureau of Justice Statistics - will be

transferred to and operated from the Crime Prevention and Criminal Justice Branch at the United Nations Office at Vienna. The transfer of UNCJIN requires additional staff time and external expertise if it is to be made in an orderly fashion and completed to the satisfaction of the users. Currently there are 340 members of UNCJIN; there were 260 at the time of the second session of the Commission. Further development of the Network depends, however, not only on the number of its members but also on the number of databases available to them. The Branch is continuing the automation of databases permitting the collection, analysis and dissemination of information on various criminal justice and crime prevention subjects.

52. The United Nations crime prevention and criminal justice programme has also carried out a number of needs assessment missions relating to computerization of criminal justice administration (Albania, Bulgaria, Cuba, Nepal). These missions were supported financially by HEUNI.

53. In accordance with Economic and Social Council resolution 1993/34, reports were prepared for the Commission, at its third session, on United Nations standards and norms in the field of crime prevention and criminal justice (E/CN.15/1994/7), on progress made in the improvement of computerization in criminal justice management (E/CN.15/1994/3) and on the Fourth and Fifth Surveys of Crime Trends and Operations of Criminal Justice Systems (E/CN.15/1994/2).

D. Collaboration and coordination

54. The Economic and Social Council, in resolutions 1992/22 and 1993/34, invited the various United Nations entities and relevant intergovernmental and non-governmental organizations to cooperate with the Crime Prevention and Criminal Justice Branch and to extend to it their support in implementing its mandates. It welcomed the Commission on Narcotic Drugs resolution 10 (XXXVI) of 7 April 1993 2/ and the Commission on Human Rights resolution 1993/41 of 5 March 1993 3/ and decided to continue its close cooperation in this field with these and other relevant United Nations bodies, such as the Commission for Social Development and the Commission on the Status of Women. The planning of cooperative activities has sought to maximize results from the use of limited resources and to avoid overlap. Joint projects, meetings and seminars have been held or are being planned for the biennium 1994-1995. Most of the activities mentioned in section IV above were carried out in cooperation with relevant United Nations agencies, as well as intergovernmental and non-governmental organizations.

55. In section II of resolution 1993/34, the Economic and Social Council recognized the need for close cooperation between the interregional, regional and associated institutes in the field of crime prevention and criminal justice, and between them and the Crime Prevention and Criminal Justice Branch in the development of technical assistance and research projects. The Annual Programme Coordination Meeting, sponsored, as in the previous years, by the Arab Security Studies and Training Centre, took place in Sharja, United Arab Emirates, in January 1993. The decisions taken were designed to enhance coordination among the institutes and with the Secretariat. The Officer-in-Charge of the Branch participated in the Advisory Board Meetings of HEUNI and the United Nations

Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD).

56. The International Scientific and Professional Advisory Council (ISPAC), which is supported by the Government of Italy, held its third plenary session at Courmayeur, Italy, from 28 August to 1 September 1993. It was attended by some 100 participants, representing various non-governmental organizations and research institutions. It was preceded by a workshop on the "Threshold of legality". The plenary considered the reports of the eight resource committees, which had organized various activities during the previous year, and the relationship of ISPAC with the work programme of the Branch. Three sessions of the Executive Board were held to discuss follow-up and ways of enhancing the contribution of ISPAC.

57. The crime prevention and criminal justice programme has now approximately 300 national correspondents in some 139 countries. They have been regularly informed of the decisions taken and recommendations made by the Commission and the Economic and Social Council at their sessions, and kept apprised of the latest developments. Information concerning experts on file with the Crime Prevention and Criminal Justice Branch has been computerized to provide the basis for the roster of experts, which is being further developed as recommended by the Commission.

58. The Commission has before it reports prepared in accordance with Economic and Social Council resolution 1993/34: one on technical cooperation and advisory services of the United Nations crime prevention and criminal justice programme, including appropriate mechanisms for the mobilization of resources (E/CN.15/1994/6); and another on the activities of the United Nations Interregional Crime and Justice Research Institute and other institutes (E/CN.15/1994/10).

V. ADVISORY SERVICES

59. During the period under review, the position of the Interregional Adviser to the Crime Prevention and Criminal Justice Programme was filled on a temporary basis for six months, pending the selection and appointment of a regular adviser.

60. The extensive need for technical advisory services in the crime field was reflected in the fact that formal requests for such services were received from 12 Member States during those six months. Informal inquiries into the possibility of obtaining such services were made by a number of other Member States. The Interregional Adviser, together with the Crime Prevention and Criminal Justice Branch, also helped several Member States in obtaining assistance from sources both within and outside the United Nations system.

61. The Interregional Adviser visited the crime prevention and criminal justice institutes for Africa and for Latin America and the Caribbean to assist in the development of the regional capacities of these institutes to provide technical assistance. Discussions were carried out with representatives of the United Nations Capital Development Fund and various Member States on strengthening

funding of the African and the Latin American and Caribbean institutes. The regional adviser for the Asian region was consulted on ways of strengthening cooperation between the Secretariat and the regional institute in providing technical assistance. A mission was undertaken to Nicaragua at the invitation of the office of the Attorney-General of Nicaragua to advise on the development of the criminal justice system. Among the issues dealt with was the training of prosecutors, reform of criminal law, improved investigation of offences, and closer cooperation between the police, the prosecutorial service and the judiciary.

62. During a mission to Swaziland, discussions were held on the possibility of providing international support to the national organization for the care and rehabilitation of offenders. A mission to Namibia, at the request of the Minister of Justice, dealt with a broad range of criminal justice issues, including coordination between the different agencies and development of a national crime prevention and criminal justice strategy.

63. At the request of the State Police Department, a mission was undertaken to Mongolia. It dealt with a large number of issues, including the modernization of law enforcement and crime prevention activities, and incorporation of crime prevention strategies into activities at the national, regional and local levels, the prevention and control of drug abuse, economic and organized crime, the selection and training of criminal justice personnel, computerization of criminal justice, and development of a project on street children in Mongolia, as well as the role of the national correspondents with the crime prevention and criminal justice programme.

64. During a mission to Zimbabwe to attend an international sentencing workshop for the southern African region, the Interregional Adviser presented the work of the United Nations in the correctional field, in particular the place of imprisonment and use of non-custodial sanctions, such as community service and compensation orders. The question of the abolition of capital punishment was also addressed.

65. At the invitation of the Ministry of Social Development, a mission was undertaken to Jordan. The terms of reference for the mission included assistance in practical research and the development of ways of gathering information about crime and offenders, establishment and organization of seminars and training courses and development of the skills and knowledge of the centres of the Ministry of Social Defence in the areas of crime prevention and criminal justice.

66. The Interregional Adviser was invited to give a plenary address at the international Congress of Criminology, held at Budapest. The presentation dealt with international cooperation in research on crime and criminal justice, including the role of the United Nations crime prevention and criminal justice programme. During the same congress, discussions were organized on the United Nations programme, and on international cooperation in technical assistance. The Interregional Adviser also contributed to an international seminar in China on police reform and police research, which dealt with community policing, police administration and training, police patrolling and organized crime, among other things. The Interregional Adviser presented a paper on dealing with

organized crime, drug trafficking and corruption at a seminar entitled "The police in a society in transition", organized by the Council of Europe and held in Moscow.

VI. ASSISTANCE FOR PEACE-KEEPING OPERATIONS FOR THE REINFORCEMENT OF DEMOCRACY AND JUSTICE

67. In response to several requests to provide assistance to peace-keeping operations, the Crime Prevention and Criminal Justice Branch developed basic courses and manuals on the United Nations norms and guidelines, designed to restore and upgrade criminal justice systems. Officers of the Branch contributed to such operations in several missions and related activities.

68. An introductory training course for peace-keeping personnel was prepared, based on United Nations crime prevention and criminal justice instruments. The course was included as part of a manual for the training of peace-keepers prepared by the Office of Human Resources Management of the Secretariat. Depending on the availability of resources, the Branch may provide a staff member or a consultant to teach the course.

69. In cooperation with the Government of Austria and the United Nations Protection Force in the former Yugoslavia, the Branch prepared and attended a workshop for the civilian police components of the United Nations peace-keeping missions (Graz, Austria, February 1993). The workshop stressed the need for standard policies and procedures and the role of United Nations instruments in providing them. As a result of this workshop, manuals for United Nations peace-keeping police were produced: a Police Handbook or "Blue Book", with a synthesis of criminal justice, human rights and humanitarian law standards for use by peace-keeping police in their monitoring responsibilities, a Police Code of Conduct and a Disciplinary Code for Civilian Police Components of United Nations Peace-keeping Operations.

70. The Chief of the Branch continued his service with the United Nations Transitional Authority in Cambodia until July 1993. During his stay there as Head of civil administration of the province of Phnom Penh and Director of public security, a new penal code and a code of criminal procedure were formulated for submission to the constituent assembly and a training programme was developed. A member of the Branch is serving with the United Nations Protection Force in the former Yugoslavia.

71. The Department of Peace-keeping Operations requested the United Nations Office at Vienna to assist the Special Representative of the Secretary-General in Somalia in re-establishing the police and criminal justice system of the country. The Secretary-General, in his report submitted to the Security Council on the implementation of Security Council resolution 814 (1993) of 26 March 1993, had proposed a plan of action for this purpose. Consequently, a mission, consisting of the Chief and a member of the Branch and a consultant, visited Somalia from 16 to 25 August 1993. The team surveyed the situation, consulted with the Special Representative of the Secretary-General, as well as with other members of the United Nations Operation in Somalia (UNOSOM II) and held discussions with Somali officials, judges and prosecutors in Mogadishu and

Kismayo. The mission submitted a report to UNOSOM II and to the Department of Peace-keeping Operations with its assessment and recommendations.

VII. NINTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

72. Pursuant to General Assembly resolution 46/152 and Economic and Social Council resolution 1993/32, the Ninth United Congress on the Prevention of Crime and the Treatment of Offenders should be convened early in 1995. The precise dates depend on the venue: 9-20 January 1995, if the Council accepted one of the invitations from Governments, or 6-17 February 1995 if the Congress was held in Vienna.

73. At its substantive session of 1993, the Economic and Social Council, on the recommendation of the Commission, approved the provisional agenda for the Ninth Congress (Council resolution 1993/32), as follows:

1. Opening of the Congress.

2. Organizational matters.

3. International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme.

4. Action against national and transnational economic and organized crime, and the role of criminal law in the protection of the environment: national experience and international cooperation.

5. Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution, courts, corrections; and the role of lawyers.

6. Crime prevention strategies, in particular as related to crimes in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives.

7. Adoption of the report of the Congress.

74. The Council also approved the rules of procedure for the United Nations congresses on the prevention of crime and the treatment of offenders, and endorsed the programme of work for the Ninth Congress, including the holding of six workshops on the following topics:

(a) Extradition and international cooperation: exchange of national experiences and implementation of relevant principles in national legislation (one day);

(b) Mass media and crime prevention (one day);

(c) Urban policy and crime prevention (one day);

(d) Prevention of violent crime (one day);

(e) Environmental protection at the national and international levels: potentials and limits of criminal justice (two days);

(f) International cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information (two days).

75. The Council decided to include within the framework of the plenary of the Ninth Congress a one-day discussion on experiences in and practical measures aimed at combating corruption involving public officials.

76. The organizational and substantive preparations for the Ninth Congress are well under way. The discussion guide for the regional preparatory meetings was approved by the Commission at its second session. Five regional preparatory meetings were convened to discuss the substantive items before the Congress, in cooperation with the regional commissions and the United Nations crime prevention institutes:

(a) Asian and Pacific Regional Preparatory Meeting, Bangkok, 17-21 January 1994;

(b) African Regional Preparatory Meeting, Addis Ababa, 14-18 February 1994;

(c) European Regional Preparatory Meeting, Vienna, 28 February-4 March 1994;

(d) Latin American and Caribbean Regional Preparatory Meeting, San José, Costa Rica, 7-11 March 1994;

(e) Western Asia Regional Preparatory Meeting, Amman, 20-24 March 1994.

77. The Commission also has before it the report of the Secretary-General on the progress made in the preparations for the Ninth Congress (E/CN.15/1994/8), the reports of the five regional preparatory meetings (A/CONF.169/RPM.1-5) and draft concept papers for the workshops.

VIII. CONCLUSIONS

78. The Economic and Social Council, in recognition of the overall priority attached by the General Assembly to rendering the United Nations crime prevention and criminal justice programme fully operational, decided that the agenda of the Commission on Crime Prevention and Criminal Justice should include, starting in 1993, a standing item on technical cooperation. It may be recalled that the General Assembly, in paragraph 5 of resolution 46/152, decided that "the United Nations crime prevention and criminal justice programme shall be devoted to providing States with practical assistance, such as data collection, information and experience sharing, and training, in order to

achieve the goals of preventing crime within and among States and of improving the response to crime".

79. Accordingly, the programme will continue to focus on providing Member States with timely and practical assistance and advisory services, and on facilitating the Commission in performing its mandated function as the principal policy-making body of the United Nations in the field of crime prevention and criminal justice. For this purpose, the programme seeks to engage in activities responding to the needs of Member States within the priority themes established by the Economic and Social Council, while monitoring the situation in other areas in order to keep the Commission up to date on global developments, permitting it to make informed decisions and readjust its priorities as required. At the same time, the programme should provide knowledge, expertise and substantive input to the special missions of the Organization in its areas of competence and be alert for emergent needs and urgent requirements of Member States in order to respond to requests for assistance. The clearing-house functions of the programme must be strengthened, not only to collect, process and provide updated information to the Commission, but also to be in a position to offer such information to its global constituency. Another major function of the programme is to assist the Commission in coordinating the efforts made at the international level in the field of crime prevention and criminal justice, and to work closely with other entities, both within and outside the United Nations system, in order to maximize the effectiveness, efficiency and impact of such efforts.

80. It is the Secretary-General's intention, as stated in his report to the General Assembly at its forty-seventh session (A/C.5/47/40), "to build the institutional capacity [of the programme] and hence establish a solid foundation for launching the activities recommended by the General Assembly, the Economic and Social Council and the Commission on Crime Prevention and Criminal Justice". The relevant measures have been approved by the General Assembly in the context of the programme budget for the biennium 1994-1995.

81. However, the modest additional resources which have become available are not commensurate with the requirements of the programme and the needs of the Secretariat. Although the Crime Prevention and Criminal Justice Branch, guided by the priorities set by the Commission, has taken steps to intensify technical assistance, the success of the programme will depend on the political will of the international community to increase its support for technical cooperation and assistance activities for the benefit of all countries, particularly developing ones and those in transition.

Notes

1/ Official Records of the Economic and Social Council, 1993, Supplement No. 12 (E/1993/32).

2/ Ibid., Supplement No. 9 (E/1993/29), chap. XI.

3/ Ibid., Supplement No. 3 (E/1993/23), chap. II, sect. A.